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FINDLAW DAILY OPINION SUMMARIES U.S. 1ST CIRCUIT COURT OF APPEALS

Criminal Law & Procedure, Sentencing

US v. Ortiz-Rodriguez, No. 13-2551

Sentence for pleading guilty to one count of cocaine trafficking in violation of 21 U.S.C. section 841(a)(1), is vacated where the district court's upward variance from the applicable sentencing range under the Sentencing Guidelines was not procedurally reasonable because the sentencing rationale fails to adequately explain the basis for the large variance from the guidelines range.

Labor & Employment Law

Murray v. Kindred Nursing Centers West LLC, No. 14-1943

In a whistleblower action, alleging retaliatory termination, the district court's grant of summary judgment in favor of employer-defendant is affirmed where: 1) under Maine law, proof of retaliatory animus alone does not suffice to demonstrate the causal connection required to make out a claim for whistleblower protection; and 2) here, there is nothing from which a reasonable factfinder could infer that plaintiff's firing would not have occurred but for her whistleblowing activity.

Criminal Law & Procedure

US v. Iwuala, No. 13-2497

In a case that is a poster child for the adage that "easy money often leads to hard lessons," conviction and sentence for multiple charges of health-care fraud are affirmed over claims of error regarding evidentiary rulings, sufficiency of the evidence, and sentencing.